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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/650,834	05/20/1996	STEPHEN C. WREN	WR-6	3077
62250	7590	03/19/2008		
STEPHEN WREN POB 251 Waterloo, IL 62298			EXAMINER ZURITA, JAMES H	
			ART UNIT	PAPER NUMBER
			3625	
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			03/19/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
08650834	5/20/1996	WREN, STEPHEN C.	WR-6

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ART UNIT	PAPER
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Commissioner for Patents

CLARIFICATION TO EXAMINER'S ANSWER

This is in response to the BPAI Order of 10 March 2008 returning un-docketed appeal to the Examiner.

The Order seeks clarification of the status of claim 102.

Accordingly, the following clarification supplements the Examiner's Answer of 03 August 2007:

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

Note: It is noted that claim 102 was omitted from the listing of claim numbers in the Detailed action mailed 18 July 2005. Specifically, claim 102 should have been listed under item 9 (at page 19 of the Office action) as being rejected under 35 USC 103 as being unpatentable over AT&T and Dworkin, and further in view of Filepp. The rationale for such rejection is consistent with that of claim 94 (see page 23 of the Office action). Claim 102 is considered to be parallel to claim 94.


The Examiner has discussed this omission with Appellant (see attached Interview Summary) and both agree that prosecution of the case has proceeded with an understanding that claim 102 was rejected under the rationale explicitly provided for claim 94 and that the omission of the listing of claim 102 amounted to an obvious processing error.


Appellant further clarifies that his response to the rejection of claim 102 should be considered to be parallel to his response directed to claim 94. Likewise, the Examiner's reply to Appellant's response to claim 102 should be considered parallel to his reply to Appellant's response directed to claim 94.

For the above reasons, it is believed that the rejections should be sustained.

The application is being forwarded to the Board of Patent Appeals and Interferences for decision.

Respectfully submitted,
/James H Zurita/
Primary Examiner, Art Unit 3625
13 March 2008


Jeffrey A. Smith, Supervisor, AU3625


Vincent Millin, Appeals Conferenc Specialistt

see attached PTO-413 inteview summary Of 03/12/2008

PTO-90C (Rev.04-03)